

**REGULAR MEETING of the Burrillville Town Council held Monday, November 23, 2015 at 7:00 P.M. in Council Chambers, 105 Harrisville Main St., Harrisville, for and within the Town of Burrillville.**

**PRESENT: Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place**

**MEMBERS ABSENT: None**

**1. Council President John F. Pacheco III led those present in pledging allegiance to the flag.**

**2. VOTED to accept the minutes of the regular meeting held November 9, 2015 and dispense with the reading of said minutes.**

**Motion by Councilor Stephen N. Rawson. Seconded by Councilor Nancy F. Binns. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**3. Public Comment: None**

**4. General Good and Welfare of the Town of Burrillville**

**Councilor Nancy F. Binns extended congratulations to the Burrillville High School football team.**

**5. Special Business:**

**15-322 VOTED to receive and file the correspondence from the Burrillville Conservation Commission to National Grid acknowledging assistance provided with the beautification project in the area of the welcome sign on Route 102.**

**Motion by Councilor Stephen N. Rawson. Seconded by Councilor Nancy F. Binns. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**15-323 VOTED to open the notice of lawsuit and request for waiver of service of summons (Alice B. Hector v. Burrillville School Department et al).**

**Motion by Councilor Stephen N. Rawson. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**Discussion: Oleg Nikolyszyn, Town Solicitor, addressed the Town Council relative to the waiver.**

**VOTED to approve the defense by the members that are listed in the complaint that are no longer members of the Town Council; and also to authorize the removal to federal court.**

**Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**6. Petitions: None**

**7. Public Hearing:**

**Annual License Renewals: Consider and act on license applications, as follows:**

**Notice of the public hearing was duly advertised in the Legal Section of the Woonsocket Call on November 9 and 16, 2015.**

**Alcoholic Beverage Licenses: That the following renewals of Alcoholic Beverage Licenses under the provisions of RIGL §3.7 for the period beginning December 1, 2015 and ending November 30,**

**2016.**

**Issuance of liquor licenses is subject to:**

- **obtaining a Certificate of Good Standing from the State Division of Taxation**
- **payment of taxes owed to the Town of Burrillville**
- **establishment being in compliance with all state and local building and fire codes**
- **receipt of copy of certification from the Rhode Island Department of Health, and proof of alcohol server training**
- **certificate of insurance in compliance with §8-28 of the Town ordinances**

**A. Retail Licenses Class A (Store):**

**VOTED to grant Class A retail liquor licenses and Sunday & Holiday licenses to the following:**

- 1) Champs Discount Liquors Inc. d/b/a Champs Discount Liquors Inc.**
- 2) Chums Spirits, Ltd. d/b/a Chums**
- 3) Solution Specialist Installations Inc. d/b/a Corkscrew Wine & Spirits**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

## **B. Retail License Class B(Ltd):**

**VOTED to grant Class B Limited retail liquor licenses to Monty's Victory Diner Corp. d/b/a Monty's Victory Diner, subject to stipulation that applicant meets all the requirements noted above.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

## **C. Retail License Class B (Victualer):**

**VOTED to grant Class B (V) retail liquor licenses and annual victualing licenses to the following, subject to stipulation that applicants meet all the requirements noted above.**

- 1) AJAR Inc. d/b/a Western Hotel Pizza and Tavern**
- 2) Dev's Café Inc. d/b/a Dev's Café**
- 3) Eldredge Tavern LLC d/b/a Pascoag Café**
- 4) Elite Pizza Restaurant II, LLC d/b/a Elite Pizza Restaurant II**
- 5) GCAL Inc. d/b/a Bella; and renew permission to serve alcoholic beverages on the patio**
- 6) James Davidge Inc. d/b/a Spritzers Café**
- 7) Kevin Bliss d/b/a Crystal Lake Tavern Inc.**

- 8) Mark Murphy Inc. d/b/a George's Pizza**
- 9) Serios Pizzarama & Restaurant Inc. d/b/a Serios Pizzarama**
- 10) Thai Time LLC d/b/a Thai Royal Restaurant and Bar**
- 11) Toti's Inc. d/b/a Toti's Café**
- 12) Uncle Ronnie's Fine Catering Inc. d/b/a Uncle Ronnie's Red Tavern; and renew permission to serve alcoholic beverages on the patio**
- 13) Videtta Golf Management d/b/a Country View Golf Club**
- 14) Waterfall Café Inc. d/b/a Waterfall Café**
- 15) Wright's Farm Corp. d/b/a Wright's Farm Restaurant**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**D. Retail License Class D (Full Privilege):**

**VOTED to grant a Class D (Full Privilege Club) retail licenses to the following, subject to stipulation that applicants meet all the requirements noted above.**

- 1) Addieville East Conservation Club**
- 2) The Townsman Club**
- 3) Wallum Lake Rod & Gun Club Inc. d/b/a Wallum Lake Rod & Gun Club**

**Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**E. New Years Eve – Late Closing:**

**VOTED that the Class B (Victualer) and Class D (Full Privilege) Liquor Licensees are hereby granted permission to remain open until 3:00 A.M. on New Year's Day January 1, 2016 and no intoxicating liquor shall be sold after 2:00 A.M. until the legal opening hours of January 1, 2016 and no dancing shall be permitted after 3:00 A.M. on New Year's morning until the legal opening hour. Licensees who plan to remain open must notify the Chief of Police, Colonel Stephen J. Lynch on or before November 30, 2015.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**New Alcoholic Beverage Licenses: That the following new application for an Alcoholic Beverage License under the provisions of RIGL §3.7**

**for the period beginning December 1, 2015 and ending November 30, 2016.**

**Retail License Class B(Ltd):**

**VOTED to grant Class B(Ltd.) retail liquor license, Philip Oakley d/b/a Sweet Caroline's in building owned by Philip Oakley, for premises located at 1950 Broncos Highway, Glendale (Map 130, Lot 001); subject to stipulation that applicant meets all the requirements noted above, for the period beginning December 1, 2015 and ending November 30, 2016.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**Other Licenses:**

**A. Victualing Licenses:**

**Issuance of victualing licenses is subject to:**

- payment of taxes owed to the Town of Burrillville**
- establishment being in compliance with all state and local building and fire codes**



- receipt of copy of certification from the Rhode Island Department of Health
- certificate of insurance in compliance with RIGL §5-77-1

**VOTED to grant Victualing House Licenses and Holiday licenses to the following, subject to stipulation that applicants meet all the requirements noted above, for the period beginning December 1, 2015 and ending November 30, 2016:**

- 1) Burrillville Donuts Inc. d/b/a Dunkin Donuts**
- 2) Butcher Block Meats Ltd. d/b/a Brigido's Fresh Market**
- 3) JJS Sandwiches Inc. d/b/a Subway**
- 4) Kaleva Inc. d/b/a Li'l General**
- 5) Likovrisi Corp. d/b/a Niko's Pizza House**
- 6) MLC Enterprises, LLC d/b/a New England Farms of RI**
- 7) Ohm Ganesh Inc. d/b/a Country Farms**
- 8) Pascoag Donuts Inc. d/b/a Dunkin Donuts**
- 9) Philip Oakley d/b/a Sweet Caroline's**
- 10) Prash, LLC d/b/a Country Farms**
- 11) Rhode Island CVS Pharmacy LLC d/b/a CVS Pharmacy #1075**
- 12) T & K Corporation d/b/a Olympia Famous Pizza**
- 13) The Townsman Club**
- 14) Vietro, Angela d/b/a The Taco Shop**
- 15) Wallum Lake Rod & Gun Club Inc. d/b/a Wallum Lake Rod & Gun Club**

**Motion by Councilor David J. Place. Seconded by Councilor Michelle**

**D. Bouchard. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**B. Pool Table License:**

**VOTED to grant a Pool Table License under the provisions of RIGL §5-2 and §5-22 to the following, for a period beginning December 1, 2015 and ending November 30, 2016.**

- 1) Dev's Café Inc. d/b/a Dev's Café**
- 2) James Davidge Inc. d/b/a Spritzer's Café**

**Motion by Councilor Michelle D. Bouchard. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**C. Annual Entertainment License:**

**VOTED to grant an Annual Entertainment License under the provisions of RIGL §5-2 and §5-22 to the following, for a period beginning December 1, 2015 and ending November 30, 2016.**

- 1) AJAR Inc. d/b/a Western Hotel Pizza**
- 2) Dev's Café Inc. d/b/a Dev's Café**

- 3) Eldredge Tavern LLC d/b/a Pascoag Cafe**
- 4) GCAL Inc. d/b/a Bella**
- 5) James Davidge Inc. d/b/a Spritzer's Café**
- 6) Kevin Bliss d/b/a Crystal Lake Tavern**
- 7) Mark Murphy Inc. d/b/a George's Pizza**
- 8) Uncle Ronnie's Fine Catering Inc. d/b/a Uncle Ronnie's Red Tavern**
- 9) Wallum Lake Rod & Gun Club Inc. d/b/a Wallum Lake Rod & Gun Club**
- 10) Waterfall Café Inc. d/b/a Waterfall Café**
- 11) Wright's Farm Corp. d/b/a Wright's Farm Restaurant**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

#### **D. Firearms License:**

**VOTED to grant the renewal of firearms license for Paula Gaebe d/b/a Addieville East Farm to apply at 200 Pheasant Drive (Map 198, Lot 14), for a period beginning January 1, 2016 and ending December 31, 2016.**

**Motion by Councilor David J. Place. Seconded by Councilor Donald A. Fox. The vote was unanimous. Voting in favor of the motion were**

**Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**E. Rubbish:**

**VOTED to grant the renewal of rubbish licenses for the following in accordance with and subject to the provisions of Chapter 8, Article 5 of the Ordinances of the Town of Burrillville entitled Transporting Garbage or Rubbish, for a period of one year commencing January 1, 2016 and ending December 31, 2016.**

**1) John Rambone d/b/a Rambone Disposal Services Inc., 2153R Plainfield Pike, Johnston, RI 02919**

**2) Waste Management of RI, 1610 Pontiac Avenue, Cranston, RI 02920**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**VOTED to adjourn the public hearing.**

**Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion**

were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.

#### **8. Unfinished Business:**

**15-309 VOTED** to open the correspondence from Councilor Stephen N. Rawson regarding discussion and consideration of the Bronco Highway overlay zoning restriction.

**Motion by Councilor David J. Place. Seconded by Councilor Donald A. Fox. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**MOTION** that we refer item #15-309 to the Administration for an advisory opinion on the process to look at this issue.

**Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place.**

**Discussion:** There was discussion that the intent of the request was the eventual review the Code of Ordinance §30-210. – Development management district overlay zone. The matter was discussed.

**The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown voted in opposition.**

**15-310 VOTED to open the correspondence from Councilor Stephen N. Rawson regarding discussion and consideration of modifying the Aquifer Ordinance restriction that prohibits underground gasoline storage within the Aquifer Overlay Zones.**

**Motion by Councilor David J. Place. Seconded by Councilor Donald A. Fox. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**Discussion: There was discussion of the background of the Code of Ordinance §30-202. – Aquifer zoning, which prohibits underground storage of petroleum fuel or refined petroleum products.**

**VOTED to ask the Administration to look into the process and see what DEM regulations might be based on our current Aquifer Overlay Zone requirements.**

**Motion by Councilor Stephen N. Rawson. Seconded by Councilor**

**David J. Place. The motion carried, four in favor, three opposed. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Donald A. Fox, David J. Place and Stephen N. Rawson. Councilors Nancy F. Binns, Michelle D. Bouchard and Kimberly Brissette Brown voted in opposition.**

## **9. New Business:**

**15-324 VOTED to open the correspondence from William A. Andrews, Chairman, Burrillville Sewer Commission regarding the Commission's request for a joint meeting with the Town Council to be held on Tuesday, December 1, 2015 to discuss the ratification of the collective bargaining agreement between the Sewer Commission and RI Laborers' District Council – Local 1322.**

**Motion by Councilor David J. Place. Seconded by Councilor Donald A. Fox. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**VOTED to put it down for December 9th, the first December meeting, for executive session that night, with a request for any documents they will be relying on ahead of time.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor David J.**

**Place. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**15-325 VOTED to open the correspondence from Councilor David J. Place regarding his request for a discussion and potential referral to the administration for the establishment of a capital account dedicated to youth sports leagues with funding from any annual surplus.**

**Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**VOTED to refer to the Administration for further research on this issue.**

**Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**



**15-326 VOTED to open the correspondence from Councilor David J. Place regarding his request for a discussion and possible review of The Burrillville Code of Ordinances, Chapter 30 entitled Zoning, Sec. 25-42. – Exemption or stabilization on qualifying manufacturing or commercial property and Sec. 25-48. – Tax stabilization for exterior improvements in substandard areas.**

**Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**VOTED to refer this to the Administration and to add this item to our Goals & Objectives for continued work.**

**Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**15-327 VOTED to receive and file the correspondence from Rep. Brian C. Newberry, Minority Leader, RI House of Representatives, regarding HUD's Affirmatively Furthering Fair Housing (AFFH) rule.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Michelle**

**D. Bouchard. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**15-328 VOTED to receive and file the correspondence from Michael DiBiase, Chairman, State Planning Council, regarding the Transportation Improvement Program FFY2017-2025.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

#### **10. Town Clerk/Communication:**

**15-329 Energy Facility Siting Board Docket No. SB-2015 Clear River Energy Center:**

**1) Notification that Invenergy Thermal Development LLC's application to construct a major energy facility, the Clear River Energy Center, comprising of a power plant and certain associated structures in Burrillville, RI is docketed as of November 16, 2015;**

**2) Notice of Preliminary Hearing that the Energy Facility Siting Board**

**will conduct a public preliminary hearing on Tuesday, January 12, 2016 at 9:30 A.M. in Hearing Room A of the Public Utilities Commission office building, 89 Jefferson Boulevard, Warwick, RI.**

**VOTED to open.**

**Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**VOTED to receive and file.**

**Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**15-330 VOTED to open the Transportation Improvement Program (TIP) 2017 – 2025 Notice of Solicitation for Transportation Projects.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F.**

**Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**VOTED to receive and file.**

**Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**15-331 VOTED to receive and file the notice of public hearing by the State Planning Council relative to amendment to the rules and standards of the State Planning Council scheduled for Monday, December 7, 2015 at the RI Department of Administration.**

**Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**15-332 VOTED to receive and file the appellee's designation of attorney presenting oral argument relative to Ocean State Power and Ocean State Power II v. Susan Makar, in her capacity as Tax Assessor for the Town of Burrillville – No. SU-15-0026.**

**Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**11. Additional Business:**

**15-333 VOTED to grant the request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law:**

**1) §42-46-5(a)(2) for discussion and action relative to matters of litigation between the Town and TransCanada (Ocean State Power); and**

**2) §42-46(a)(6) for discussions relating to a prospective business or industry locating within the Town of Burrillville: Invenergy LLC - Clear River Energy Center**

**Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was not present when the vote was taken.**

**Note: There was a recess before executive session.**

**The Town Council returned to open session at 8:47 P.M.**

**VOTED to seal the minutes of executive session noting that three votes had been taken.**

**Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**15-334 VOTED to seek intervener status regarding Docket No. SB-2015 Clear River Energy Center pursuant to the Energy Facility Siting Board Rules of Procedure.**

**Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**12. VOTED to adjourn at 8: 48 P.M.**

**Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous. Voting in favor of the motion**

**were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox, David J. Place and Stephen N. Rawson.**

**The meeting was recorded.**

**Louise R. Phaneuf, Town Clerk**